

United States District Court
Southern District of Texas
ENTERED

Michael N. Milby, Clerk of Court
By Deputy Clerk 

§ 87(2)(b)

CIVIL ACTION NO. B-96-203

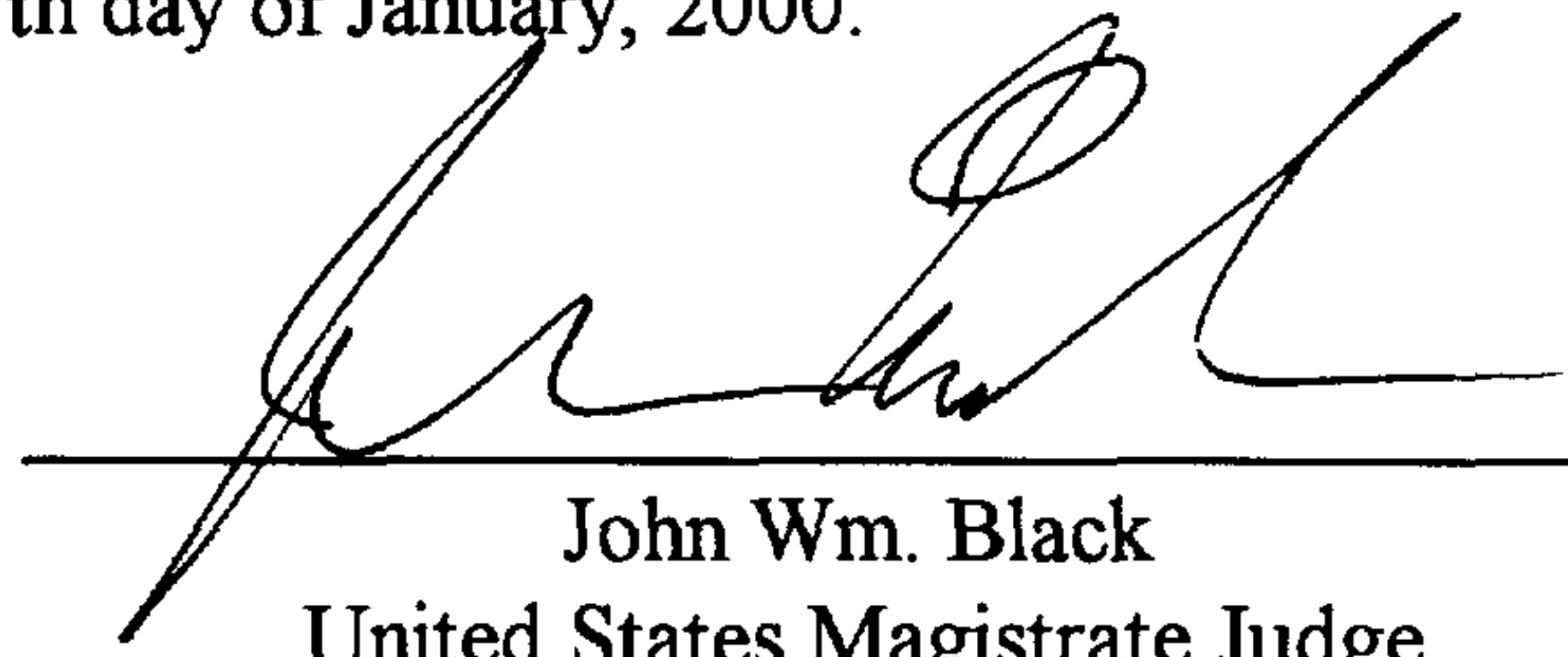
**ALEX PEREZ, in his official capacity
Sheriff of Cameron County, Texas and
Cameron County, Texas,**

Defendants.

recommendation in a magistrate judge's report and recommendation within 10 days after being served with a copy shall bar that party, except upon grounds of plain error, from attacking on appeal the unobjected-to proposed factual findings and legal conclusions accepted by the district court, provided that the party has been served with notice that such consequences will result from a failure to object.

Douglass v. United Services Automobile Association, 79 F.3d 1415 (5th Cir. 1996).

DONE at Brownsville, Texas, this 13th day of January, 2000.



John Wm. Black
United States Magistrate Judge

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

EDWARD ALCALA, et. al.,

Plaintiffs,

VS.

ALEX PEREZ, in his official capacity
Sheriff of Cameron County, Texas and
Cameron County, Texas,

Defendants.

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CIVIL ACTION NO. B-96-203

ORDER

Before the Court is Magistrate Judge's Report and Recommendation of January 10, 2000 and Magistrate Judge's Supplemental Report and Recommendation of January 13, 2000 on the above-referenced cause of action. After a de novo review of the entire file, it is the opinion of this Court that both the Magistrate Judge's Report and Recommendation and the Magistrate Judge's Supplemental Report and Recommendation should be **ADOPTED**.

IT IS ORDERED that the Defendant's Motion for Summary Judgment be **GRANTED**. The Court finds that the law enforcement officers are not entitled to be paid for the time they worked between 160 hours (their regular work schedule) and 171 hours (the point at which they are entitled to overtime under 29 U.S.C. § 207(k)).

DONE at Brownsville, Texas this _____ day of _____, 2000.

Filemon B. Vela
United States District Court Judge